

August 31, 2010

Shawn Silva  
Senior Staff Counsel  
California State Controller  
P.O. Box 942850  
Sacramento, CA 94250

Re: California Actuarial Advisory Panel  
Conflict-of-Interest Code Exemption Request

Dear Mr. Smith:

This letter is in response to your request for an exemption for the California Actuarial Advisory Panel ("Panel") from inclusion in a conflict-of-interest code.

Your request for exemption is granted under FPPC Regulation 18751(c)(3). At this time it appears Panel members will not have decision making authority as defined in the Political Reform Act. Therefore, members are not designated employees within the meaning of Government Code Sections 82019 and 87302(a). However, I caution that in the event the State Controller or other agencies adopt Panel recommendations without significant modification, Panel members may be considered to have participated in governmental decision-making as defined in FPPC regulation 18702.2 and may ultimately be required to file a statement of economic interests.

If you have any questions, please feel free to contact Lynda Cassady, Chief of the Technical Assistance Division, at (916) 322-3228.

Sincerely,

Roman Porter  
Executive Director